

David W. Fassett (DWF 1636)  
ARSENAULT WHIPPLE FASSETT & AZZARELLO, LLP  
560 Main Street  
Chatham, NJ 07928  
(973) 635-3366  
Attorneys for Plaintiff

RECEIVED  
FEB 24 2010  
AT 8:30  
WILLIAM T. WALSH  
CLERK

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY  
TRENTON VICINAGE

ARBITTIER FARMS, INC.

Plaintiff

v.

PRYSLAK GROWERS, INC., a/t/a  
PRYSLAK FARMS and  
DENNIS PRYSLAK

Defendants

Civil Action No.

10-958FLW

**ORDER TO SHOW CAUSE WITH  
TEMPORARY RESTRAINTS AND WITHOUT NOTICE**

THIS MATTER having come before the Court on the application of Plaintiff Arbittier Farms, Inc. ("Plaintiff") for an Order to Show Cause with Temporary Restraints and without Notice; and the Court having reviewed the Complaint, the Memorandum of Law, the Affidavit of Howard Arbittier, and the Certification of Counsel submitted herewith; and for the reasons stated on the record on February 24, 2010, and for good cause shown;

IT IS on this 24<sup>th</sup> day of February, 2010,

**ORDERED** that the foregoing application be, and hereby is, **GRANTED**; and it is further

**ORDERED** that Defendants shall show cause before this Court on March  
24<sup>th</sup>, 2010 at 11 o'clock in the AM noon why the Court should not issue an Order

under Fed. R. Civ. P. 65(a) preliminarily enjoining the Defendants, their customers, agents, officers, subsidiaries, assigns, and banking institutions, from alienating, dissipating, paying over, or assigning any assets of Defendant Pryslak Growers, Inc., a/t/a Pryslak Farms, ("Pryslak Farms"), its subsidiaries or related companies, except for payment to Plaintiff, until further order of this Court or until Defendants pay Plaintiff the sum of \$324,081.60 by cashier's check or certified check ("the Preliminary Injunction Hearing"); and it is further

**ORDERED** that Defendants shall file and serve any papers in advance of the Preliminary Injunction Hearing by March 15, 2010; and it is further

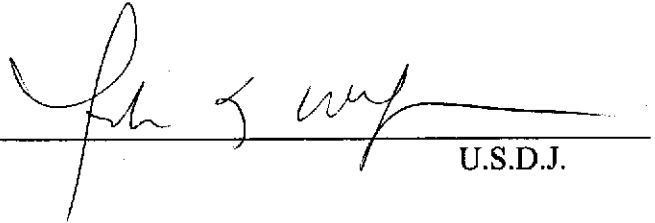
**ORDERED** that Plaintiff shall file and serve any reply papers in advance of the Preliminary Injunction Hearing by March 22, 2010; and it is further

**ORDERED** that, pending the Preliminary Injunction Hearing, Defendants, their customers, agents, officers, subsidiaries, assigns, and banking institutions be, and hereby are, **TEMPORARILY RESTRAINED AND ENJOINED**, pursuant to Fed. R. Civ. P. 65(b), from alienating, dissipating, paying over or assigning any assets of Pryslak Farms, its subsidiaries or related companies, except for payment to Plaintiff, until further order of this Court or until Defendants pay Plaintiff the sum of \$324,081.60, as set forth above, by cashiers check or certified check ("the Temporary Restraints"); and it is further

**ORDERED** that no security or bond shall be required under Fed. R. Civ. P. 65(c) because it appears that Defendants presently hold \$324,081.60 worth of Plaintiff's assets; and it is further

**ORDERED** that Plaintiff shall serve one copy each of this Order and the materials submitted in support thereof upon Defendants by hand delivery or overnight delivery service delivered to Defendants at 30 Shades of Death Road, Great Meadows, New Jersey 07838-2606 on or before February 26, 2010, and that such service shall effectuate service of process as to all Defendants; and it is further

**ORDERED** the Defendants may move to dissolve or modify the Temporary Restraints on two (2) days advance written notice to Plaintiff.

  
\_\_\_\_\_  
U.S.D.J.